

REMARKS

Favorable reconsideration and allowance of this application are requested.

By way of the claim amendments above, each of the pending independent claims has been revised so as to clarify that the recited ortho-silicic esters represent a definitive required – not optional – component. Prior claim 4 has thus been revised so as to be consistent with the expression of the ortho-silicic esters as a definitive required component.

Thus, following entry of the present amendment claims 1-7 will remain pending herein for which favorable reconsideration and allowance are solicited.

I. Response to Art-Based Rejections

Applicants appreciatively note the Examiner's withdrawal of his prior rejections of record in light of the amendment that was previously filed on November 17, 2006. The Examiner has, however, now advanced rejections of claims 1-3 and 5-7 alternatively under 35 USC §102(e) or 35 USC §103(a) as obvious over Eaton et al (USP 6,818,146). Similarly, claims 1-3 and 5-7 attracted a rejection under 35 USC §103(a) as allegedly obvious over WO 02/055759. Claim 4 has been rejected separately under 35 USC §103(a) as allegedly obvious over Eaton et al in view of Homma et al (USP 6,680,138).

In response to the rejections advanced in the Official Action, the independent claims have been revised so as to emphasize that component (d) (i.e., the ortho-silicic esters) is a required – not optional – component. Thus, the amendments above render moot the Examiner's rejection based on Eaton et al alone and based on WO 02/055759 alone. As such, the only issue to be resolved in this application is the Examiner's rejection advanced on the basis of Eaton et al and Homma et al. Such a rejection is, however, inappropriate.

In this regard, Homma et al only nakedly refers to tetramethoxysilane at column 13, line 9 as one example of a “hydrolysable inorganic compound” which is mixed in a first preparatory step with an organic material having a hydrolysable silyl group to form the **three-dimensionally crosslinked structure**. (See column 12, line 65 bridging column 13, line 1.) The second preparatory step forms a precursor solution (i.e., a **reaction system**) by adding the agent for imparting proton conductivity to the solution formed in the first step (i.e., the solution formed by mixing the organic material having a hydrolysable silyl group with the hydrolysable inorganic compound (e.g., tetramethoxysilane). (See column 13, lines 51-57.) In the third preparatory step, Homma et al then instructs to make a film of the precursor solution, followed by a fourth step in which the film is subjected to sol-gel processing and cause reaction of the components in the reaction system. (See column 13, lines 58-65.)

Thus, Homma et al does **not** teach at all that a hydrolysable inorganic compound may be a component part of an aqueous **coolant composition** present in the fuel cell coolant system. Instead Homma et al instructs that the hydrolysable inorganic compound is merely a reactant in a reaction system that ultimately forms a three-dimensionally cross-linked structure. One of ordinary skill in the art would therefore not have combined Homma et al with the Eaton et al reference and then arrive at the present invention.

Withdrawal of the rejection advanced against the pending claims based on the combination of Eaton et al and Homma et al is therefore in order.

II. Conclusion

Every effort has again been made to advance prosecution of this application to allowance. Therefore, in view of the amendments and remarks above, applicant suggests that all claims are in condition for allowance and Official Notice of the same is solicited.

WENDEROTH et al
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Should any small matters remain outstanding, the Examiner is encouraged to telephone the Applicants' undersigned attorney so that the same may be resolved without the need for an additional written action and reply.

An early and favorable reply on the merits is awaited.

Respectfully submitted,

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